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Department of Justice
United States Attorney Alex G. Tse
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UNITED STATES JOINS LAWSUITS AGAINST TETRA TECH EC INC. ALLEGING FALSE CLAIMS IN CONNECTION WITH SHIPYARD CLEANUP

SAN FRANCISCO – The United States has intervened in three whistleblower cases pending in the Northern District of California against Tetra Tech EC Inc. (Tetra Tech) alleging that Tetra Tech submitted false claims to the United States Navy for radiological remediation and support services provided at Hunters Point Naval Shipyard in San Francisco, the Justice Department announced today.

Tetra Tech is a government contractor headquartered in Morris Plains, New Jersey. The Navy awarded contracts to Tetra Tech to test parcels of land at the Hunters Point Naval Shipyard for radiation and to remediate any areas where the radiation was excessive. The lawsuits allege that Tetra Tech misrepresented the source of soil samples it submitted for radiological testing. The lawsuits also allege that Tetra Tech falsified data collected from radiological surveys of existing buildings at Hunters Point Naval Shipyard.

Earlier this year, two Tetra Tech supervisors, Stephen C. Rolfe and Justin E. Hubbard, pleaded guilty to falsifying records and were sentenced to eight months in prison. Rolfe and Hubbard both admitted as part of their guilty pleas that, rather than take soil samples from the survey units undergoing analysis, they participated in the substitution of “clean” (non-radioactive) dirt fraudulently taken from other areas within the former naval base.

“It is of paramount concern to this community and the United States that the radiological remediation at Hunter’s Point Naval Shipyard be completed properly and lawfully,” said United States Attorney Tse for the Northern District of California. “Today’s intervention will ensure that the Navy’s contractors retained to work in the Northern District of California are held accountable for any failures to comply with the contract that was intended to make certain critical testing was completed. We will ensure compliance with all contractual obligations for which the government has paid.”

“It was of critical importance to the United States Navy, and the public, that Tetra Tech perform accurately and fully the radiological testing and remediation at the Hunters Point site for which it was hired,” said Assistant Attorney General Joseph H. Hunt of the Department of Justice’s Civil Division. “The Department of Justice will vigorously pursue action against those who obtain federal funds based on promises they knowingly fail to keep.”

“The Department of the Navy will cooperate with the Department of Justice regarding this litigation,” said Secretary of the Navy Richard V. Spencer. “As a steward of taxpayer dollars, the Navy is responsible and accountable to the public for our investments in manning, training, and equipping a ready and lethal Navy the Nation Needs. In doing so, we demand and expect the same from our private industry partners.”

The whistleblower actions were filed under the qui tam provisions of the False Claims Act, which permit private parties to file suit on behalf of the United States for false claims and to share in any recovery. The act also permits the United States to intervene in such an action, as it has done in part in these three whistleblower actions.

The whistleblower lawsuits are captioned United States ex rel. Jahr, et al. v. Tetra Tech, EC, Inc., et al., Civil Action No. 13-3835 JD (N.D. Cal.), United States ex rel. Smith v. Tetra Tech EC, Inc., et al., Civil Action No. 16-1106 JD (N.D. Cal.), and United States ex rel. Wadsworth v. Tetra Tech EC, Inc., Civil Action No. 16-1107 (N.D. Cal.).

The cases are assigned to the Hon. James Donato, U.S. District Judge who has scheduled a case management conference for February 28, 2019. The United States plans to file its complaint against Tetra Tech in the matter on or before January 14, 2019.

The claims asserted in the three currently-filed complaints are allegations only and there has been no determination of liability.

Further Information:

A copy of this press release will be placed on the U.S. Attorney's Office's website at www.usdoj.gov/usao/can <<http://www.usdoj.gov/usao/can>> .

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at www.cand.uscourts.gov <<http://www.cand.uscourts.gov>> .

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